



State of Utah

Department of Natural Resources

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Division of Oil, Gas & Mining

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November 28, 2006

CERTIFIED RETURN RECEIPT
7004 2510 0004 1824 4257

Tony Christofferson
Sunroc Corporation
525 W Arrowhead Trail
Spanish Fork, Utah 84639

Subject: Second Review of Notice of Intention to Commence Large Mining Operations,
Sunroc Corporation, Levan Henry Mine, M/023/023, Juab County, Utah

Dear Mr. Christofferson:

The Division has completed a review of your response to the Division's initial technical review sent to you on January 10, 2005 for the Levan Henry Mine, located in Juab County, Utah. Your response was received February 3, 2006. After reviewing the information, the Division has the following comments which need to be addressed before tentative approval may be granted.

The comments are listed below under the applicable Minerals Rule heading. Please format your response in a similar fashion and address only those items requested in the attached technical review. Send replacement pages of the original notice **using redline and strikeout text** and indicate how these are to be incorporated into the current approved plan using the attached Form-MR-REV-att. After the notice is determined technically complete and we are prepared to issue final approval, we will ask that you send us two clean copies of the complete and corrected plan. Upon final approval of the permit, we will return one copy stamped "approved" for your records.

If you have any questions in this regard please contact me or Tom Munson of the Minerals Staff. If you wish to discuss this review, please contact us at your earliest convenience. Thank you for your cooperation in completing this permitting action.

Sincerely,

for Susan M. White

Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:tm:jb
Attachment: Review,
cc: Tom Shore, US Forest Service, Ephraim
P:\GROUPS\MINERALS\WP\M023-Juab\M0230023-Henry1and2\final\03282006-2nd-REV.doc

**SECOND REVIEW OF NOTICE OF INTENTION TO COMMENCE LARGE MINING
OPERATIONS**

**Sunroc Corporation
Levan Henry Mine
M/023/023
November 9, 2006**

R647-4-105 - Maps, Drawings & Photographs

- 105.1 Topographic base map, boundaries, pre-act disturbance
The plan states that a letter from the Forest Service granting permission to build a road outside the claim area is to be received before the road is built.
Please include a copy of this letter in the plan or remove the road building from the plan.
(DJ)

The comments section of your response indicates that cross-sections are attached to your response.

There are no cross-sections included in your latest response. Please include these cross-sections showing the areas before mining, after mining, and after reclamation. (DJ)

R647-4-106 - Operation Plan

- 106.3 Estimated acreages disturbed, reclaimed, annually.
An acre of tailings disposal has been added to the estimated acreage to be disturbed.
The acreage total should be increased to 12.32 acres to cover this addition. (DJ)

The maps do not show where this additional acre of tailings will be located.
Please show this location on the map. (DJ)

Acreage previously disturbed and reclaimed should be included in the acreage total for the site.

Although these areas have been recontoured and seeded a surety amount, to cover possible ripping and reseeding, needs to be held for these areas until revegetation success has been demonstrated. (DJ)

- 106.4 Nature of materials mined, waste and estimated tonnages
The plan states that no waste in the form of tailings or reject material will be produced.
The estimated annual volume of tailings/reject is shown as 5000 cy, please explain. (DJ)

- 106.5 Plan for protecting & redepositing soils

The plan states that the topsoil stockpile will be located immediately below the active mine area.

The soil stockpile should be located in an area away from the active mine area to assure that this material will not be affected by ore material during mining. (DJ)

In the Methods portion of Section 106.5, the plan says there are several small topsoil piles that were removed from the mine area but had not been protected or labeled as such. Please show the location of these soil stockpiles on the reclamation treatments map contained in the plan. In addition, the Division recommends that signs be placed on these stockpiles. (DJ & PBB)

How much soil is in the stockpiles? Based on the amount of soil that has been previously stockpiled, what average thickness of soil will be applied to existing disturbed areas? The revegetation plan (Section 110.5) says six inches of soil will be used, which should be adequate, but is this much soil actually available? (PBB)

The revegetation plan says 10 tons per acre of composted manure will be placed on top of the soil and incorporated. This is an excessive amount of manure; no more than about five tons per acre should be used. If six inches of topsoil is available to cover the entire site, it should not be necessary to apply manure. If this much soil is not available, some manure would probably be beneficial. (PBB)

Section 106.6 says three feet of soil will be salvaged from 1.20 acres of area that has yet to be disturbed and that this amounts to 4675 cubic yards. Is this much soil actually available from this area? The Division calculates that three feet of material salvaged from 1.20 acres comes to 5808 cubic yards. Please correct this section of the plan as necessary. (PBB)

106.7 Existing vegetation - species and amount

The plan includes overstory and understory cover values for north- and south-facing slopes, but it does not indicate how much of this cover is from weeds. If there are no weeds, please make this indication. The cover values in the plan will be used as the revegetation success standard, and when the Division assesses an area for revegetation success, weeds are not included. It is important to be able to compare cover from non-weedy species in both areas. (PBB)

106.9 Location & size of ore, waste, tailings, ponds

The plan states that whatever fines material that remains when the mine is closed will be ripped, regraded and seeded.

Please state the final slope that this material will be regraded to during closure. The Division recommends a minimum of a 3:1 slope because of the nature of the material. (DJ)

R647-4-107 - Operation Practices

- 107.3 Erosion control & sediment control
This portion of the plan states that a small sediment basin will be constructed.
Section 106.9 of the plan states that this sediment pond exists. Please state whether the pond already exists. (DJ)

R647-4-109 - Impact Assessment

- 109.2 Impacts to threatened & endangered wildlife/habitat
The plan says there are six golden eagle nests within a mile of the mine of which four are within one-half mile. Does this information apply to the Levan Henry Mine or to the Chicken Creek Mines? The Division's regulations do not apply to this species, but the operator should contact the Fish and Wildlife Service to determine what actions need to be taken to minimize impacts. (PBB)
- 109.4 Slope stability, erosion control, air quality, safety
The Air Quality permit has been issued to H.E. Davis Construction. The permit states that if the company is sold or changes its name the Executive Secretary should be notified. Has the Executive Secretary been notified of the name change? Please include a copy of the Air Quality permit in the name of the new operator (Sunroc). (DJ)

R647-4-110 - Reclamation Plan

- 110.2 Roads, highwalls, slopes, drainages, pits, etc., reclaimed
The plan states that a small detention pond will be constructed to collect runoff from the stockpile and processing area.
Please show the location of this detention pond on plan maps. (DJ)

R647-4-113 - Surety

No surety information was included in the latest response. (DJ)